

No. 22-10338-AA

JURISDICTIONAL QUESTION

Please address whether the relevant pleadings sufficiently allege the citizenship of the parties so as to invoke the district court's diversity jurisdiction in the first instance. *See* 28 U.S.C. § 1332(a)(1); *Travaglio v. Am. Express Co.*, 735 F.3d 1266, 1268-69 (11th Cir. 2013) (explaining that to establish diversity jurisdiction with respect to a natural person, the pleadings must allege the person's citizenship or domicile, and an allegation of residence is insufficient); *Molinos Valle Del Cibao, C. por A. v. Lama*, 633 F.3d 1330, 1342 n.12 (11th Cir. 2011) (providing that a complaint must allege a natural person's citizenship, not residence, to establish diversity jurisdiction); *Mallory & Evans Contractors & Eng'rs, Inc. v. Tuskegee Univ.*, 663 F.3d 1304, 1305 (11th Cir. 2011) (stating that a limited liability company is a citizen of any state of which a member of the company is a citizen, and to sufficiently allege the citizenships of these unincorporated business entities, a party must list the citizenships of all the members of the limited liability company).

Insofar as the jurisdictional allegations may be inadequate, please address: (1) whether the allegations should be amended on appeal, pursuant to 28 U.S.C. § 1653, to cure any jurisdictional deficiencies in the current pleadings; (2) whether current record evidence adequately establishes the parties' citizenship; or (3) whether the record should be supplemented with additional evidence to demonstrate the parties' citizenship. *See* 28 U.S.C. § 1653; *Travaglio*, 735 F.3d at 1269–70 (discussing when record evidence may be used to cure jurisdictional pleading defects, and noting that self-serving arguments and unsworn statements in trial briefs are insufficient to establish a party's citizenship); *Mallory & Evans*, 663 F.3d at 1305 (inviting appellant to file a motion for leave to amend the complaint to correct deficient allegations of citizenship). If applicable, the parties should submit any motions they consider necessary or appropriate to cure the deficiencies.